

# Village of Canal Winchester 36 South High Street Canal Winchester, Ohio 43110-1213

Village Council Monday, March 17, 2008 7:00 PM

#### Minutes

Call to Order:

Mr. Deeds called the meeting to order at 7:00pm

Pledge of Allegiance:

Mr. Deeds led the Pledge of Allegiance

Roll Call:

John Bender

Rick Deeds

Bruce Jarvis

**Bobbie Mershon** 

Victor Paini

Marilyn Rush-Ekelberry

Leah Turner

## **Approval of Minutes:**

Mrs. Rush-Ekelberry moved to approve the minutes of the March 3, 2008 meeting. Mrs. Turner seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

### Communications & Petitions:

A letter was received from Insight regarding a change in the channel line-up, specifically the Spanish channel.

Mikayla Taylor came to speak about KIDSConnect, a program of the educational council. This is an after school program that works with middle school students who are not reaching their social and academic potential. The programs main objective is to serve as a link between parents, students and school staff, while fostering a connection to the community. Currently, there are 28 students enrolled. After school learning occurs throughout the school year. The students meet for 3 hours after school, Monday – Thursday. During that time, the students have homework assistance; work on service projects and team-building exercises. A snack is provided, as well.

An online program allows staff to see daily homework assignments and track the progress of the students enrolled in the program. Throughout the year, students work on six service learning projects. This year the themes are multi-cultural awareness; music & theory; character building; alcohol, tobacco and other drug awareness; environmental awareness; as well as, nutrition & fitness. At the end of each project, there is a showcase for family, school and community where the students present

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their work.

The students have several special projects throughout the year and are able to participate in a mentorship program. There has also been a 5<sup>th</sup> grade mentorship program where the 5<sup>th</sup> graders are paired with a high school student and work on team-building.

The United Way of Central Ohio, Office of Criminal Justice services, Canal Winchester School District and the Village of Canal Winchester help to fund KIDSConnect.

Data from 06-07 school year: 52% of participants social skills improved by 35%; 73% increased at least one letter grade in one course subject; 54% of students increased their attendance; 84% of students with prior disciplinary actions that were involved with the program for more than 18 weeks, decreased their discipline infractions.

Ms. Taylor thanked the Mayor and Council for their ongoing support of KIDSConnect.

Discussion of the funding of the program ensued.

# **Village Residents Comments:**

Five-minute limit per person

**Sal Multerer**, of 253 PowderHorn Place, requests, in reference to Ordinance 03-08C- Peddler's and Solicitors, that Council change the time that they are allowed to come knocking on doors to end at 7:30pm or sunset, whichever is earlier. Ms. Multerer doesn't feel safe at home at night when someone she doesn't know comes knocking on her door at a late time.

Mrs. Turner noted that she would like for the peddlers to only be able to come for 2-3 hours a day at certain times and that be it.

Mr. Jarvis added that he agreed with the idea of tying the time to sunset, so that the issue of Daylight savings time doesn't come into play. He also stated that when it comes up, he will move to amend the language to add this provision.

Mrs. Mershon added that there should be an end time listed as well, since the sunset is so late in the summer. She reiterated that Ms. Multerer asked for "7:30pm or sunset, whichever is earlier"

Mr. Hollins noted that restricting the time is within the rights of the Council. He also added that, apart from this Ordinance, residents are always allowed to put up something on their mailbox or door that states "Peddler's prohibited" or "No Soliciting" and then they are never allowed to come to the door.

Mrs. Turner suggested an even tighter restriction on the times. She would like to see the peddler's off the street before the kids get out of school.

Ms. Mershon added that the kids are a large percentage of the people that are going to out going door-to-door and that wouldn't suffice for them.

Mrs. Turner suggested making an exception for kids.

A discussion of the times and legal issues ensued.

**Mr. Jeffrey Bond**, of 36 S. Washington Street, questions the building standards of single family homes and their square footage. He believes houses are getting too big and do not have enough amenities. The houses do not have substance, quality and resale value. Our focus should be on smaller, higher-quality homes. He requests a freeze on square footage in the Village.

## **ORDINANCES:**

## **FIRST Reading**

Sponsor:

Mr. Paini

O-03-08D

AN ORDINANCE TO AMEND ORDINANCE NUMBER 02-08 AND DECLARING AND

**EMERGENCY** 

Mr. Paini read the ordinance and moved to waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading. Mr. Jarvis

seconded the motion.

Mr. Peoples clarified that this is an amendment to the price that was quoted from AT&T to relocate lines, which only included part of the work that needed to be done. This will change the amount from \$15,000 to \$42, 650. The emergency is due to the Columbus Street Reconstruction time-frame.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Mr. Paini moved to adopt Ordinance 16-08. Dr. Bender seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Sponsor:

Mrs. Turner

O-03-08E

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A

CONTRACT FOR CONSTRUCTION INSPECTION SERVICES FOR THE COLUMBUS STREET RECONSTRUCTION PROJECT AND DECLARING AN

**EMERGENCY** 

Mrs. Turner read the ordinance and moved to suspend the rules and declare an emergency. Mrs.

Mershon seconded the motion.

Mr. Peoples explained that to contract with Wolpert , with whom the Village has worked before on the Diley Road project and had a positive experience. The emergency is being asked for because of the time frame of the Reconstruction project.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Mrs. Turner moved to adopt Ordinance 17-08. Mrs. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

## **SECOND Reading**

Sponsor:

Mr. Jarvis

O-03-08C

AN ORDINANCE TO REPEAL EXISTING CHAPTER 713 OF THE VILLAGE CODE,

TO ADOPT NEW CHAPTER 713 OF THE VILLAGE CODE REGARDING PEDDLERS AND SOLICITORS, TO ESTABLISH PEDDLERS AND SOLICITORS REGISTRATION

PROCESS, AND DECLARING AN EMERGENCY.

Mr. Jarvis read the ordinance. Second reading only, however, Mr. Jarvis moved to amend the wording of section 713.07, paragraph A, of the code to reflect that the solicitors must be off the streets by 7:30pm or sunset; whichever is earlier.

Mrs. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Ms. Nanisa Osborn re-read the ordinance.

Mr. Hollins suggested adding Halloween night and Beggar's night to the list of Holidays.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

**NAYS** 

Motion carried.

#### THIRD READING

Sponsor: Mrs. Turner

O-02-08H

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENTS

FOR THE PURCHASE OF THE RIGHT OF WAY NECESSARY FOR THE

RECONSTRUCTION OF COLUMBUS STREET AND DECLARING AN EMERGENCY

Mrs. Turner read the ordinance and moved to adopt 18-08. Mrs. Mershon seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Sponsor: Mrs. Mershon

O-02-08K

AN ORDINANCE DETERMINING THE VIDEO SERVICE PROVIDER FEE TO BE PAID BY A VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE VILLAGE PURSUANT TO A STATE AUTHORIZATION; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE FEE; AND

DECLARING AN EMERGENCY.

Mrs. Mershon read the ordinance and moved to adopt Ordinance 19-08, seconded by Mr. Jarvis.

Ms. Osborn clarified that this is an emergency due to a timing issue with State law to collect fees.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Sponsor: Mr. Paini

O-02-08L

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT

WITH C. F. BIRD & R. J. BULL, INC. FOR PROFESSIONAL ENGINEERING

**SERVICES** 

Mr. Paini read the ordinance and moved to adopt Ordinance 20-08. Mrs. Rush-Ekelberry seconded the motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry. Ms. Turner

NAYS

Motion carried.

RESOLUTIONS:

None at this time

## Mayor's Report:

Mayor Ebert thanked Mr. Ed Snyder and the entire street crew for the excellent job they did during the blizzard.

Mayor Ebert made Council aware that they are in the process of making a committee, tenatively named the "Future Land Use Committee".

Staff retreat will be on April 2<sup>nd</sup>.

#### **Public Works Director:**

Mr. Peoples referred to a chart in Service committee regarding the costs of the snow removal during the blizzard. If the services were contracted out, the total would have been. \$29,586.49. There were a total of 384 total man hours worked at a cost of \$15, 419.76. Equipment costs totaled \$10,293.68. The fuel costs were \$1,550.66.

Residents gave many compliments and there were few complaints.

Last week was the kick-off meeting for "Safe Routes to School". There was a \$12,000 grant from

ODOT to establish a school travel plan for children that walk or bicycle to school. They will be looking at a 2 mile radius around Indian Trail.

Lithopolis Road turn lane project has run into some logistical problems and ROW issues with the property owners, as well as, jurisdictional issues as the areas are in Lithopolis.

The sludge press demo was delayed due to the blizzard.

Annual Ohio EPA inspection gave the Village of Canal Winchester good marks.

Vortex manhole was installed as an odor control manhole in Canal Cove Section 3.

The Columbus Street project is underway. Utilities are being relocated. Street trees are being removed and Columbia Gas put in a new water main.

2008 Street CIP will address Washington Knolls reconstruction, Oak Street reconstruction, roadwork in Winchester Trace, Ashbrook Village and Villages of Westchester. The Engineer's estimate for the project was \$418,000 and EMH&T has suggested that the lowest apparent bidder was \$341,000 from Strawser Paving.

Ed Snyder and his crew are working at Walnut Creek Park to get it ready for the Joint Recreation Department to use it. Gravel is being placed for the roadway and a small fence is being installed to keep soccer balls from going down over a hill.

Rhett Young is a new employee that will serve as a floater employee between the Water, Street and Water Reclamation Departments.

Mr. Dick Miller is working on some ground cover for the railroad viaduct and is in the process of naming a stream that is out behind the Meijer. The proposed name for that is Wild Violet Run.

Hydrant flushing is scheduled for the month of April.

Joe Taylor is working with Verizon for a cellular site on the North Gender Tower.

## <u>Development Director:</u>

Mr. Christopher Strayer stated that the CIA housing tour has been scheduled for the 31st of March.

We are still waiting on names for the TIRC from Madison Township before they can be forwarded to the County.

The contractor called regarding the sign at the corner of Kings Crossing and Diley, and wants to know with what material the sign should be made. Mr. Strayer suggested that black metal would be the easiest and best looking. The approved sign on the plan was "Welcome to Canal Winchester". Violet Township is suggesting that the sign read, "Welcome to Violet Pointe".

#### **Community Affairs Director:**

Ms. Carrie Hoover stated that the website has been launched. It is www.canalwinchesterohio.gov .

Village Relay for Life team is going to host a dinner at the Canal Winchester Community Center and Ms. Hoover asked if the village officials would be willing to wait on the tables for tips to go to charity. Ms. Hoover can bring dates in front of the council.

#### Village Solicitor:

Mr. Gene Hollins distributed to Council the Court of Appeals ruling upholding the trial court in the decision concerning the lack of referendum on the earlier zoning matter. It can be discussed further in Executive session.

Litigation with Lithopolis is ongoing. The court has set a status conference for the 20<sup>th</sup>.

#### **Fairfield County Sheriff:**

Sgt. Kern ordered a new cruiser for this coming year. It will be a Dodge Charger and it was slightly less expensive than the Ford Crown Vic.

During the blizzard, the deputies were asked to go stationary. They will sit in lots or at the station until a calls comes in, then respond.

See written report.

# Finance Director:

Ms. Osborn will be doing a one page summary of the Village Annual Financial Report.

The Committee of the Whole meeting will be held in Town Hall on Monday, March 24<sup>th</sup>, since Landmarks Committee will not be meeting.

Ms. Osborn closed the agenda for the next meeting, since there are already 7 items to address.

## **Council Reports:**

Old Town Committee	Monday, April 14, 2008 at 5:45 PM
Finance Committee	Monday, April 7, 2008 at 5:45 PM
Service Committee	Monday, April 21, 2008 at 5:45 PM
Safety Committee	Monday, April 14, 2008 at 5:00 PM
Committee of the Whole	Monday, March 24, 2008 at 6:30 PM

#### **New Business:**

Mrs. Rush-Ekelberry asked if the Village of Canal Winchester had ever looked into Village-wide wireless internet.

Mr. Paini stated that he and Mr. Jarvis had researched this through the Information Services Commission two years ago and there were issues with line of sight, and expense issues. One of the benefits would be to interconnect the village offices, as well as, being able to offer wireless service to the hospital and then charge for it. The Information Services Commission hasn't met in many months, and it could be looked into again if there is interest.

Mr. Jarvis asked Ms. Hoover if there was a place on the new website that solicits ideas from residents. Ms. Hoover said there is a resident feedback page. Ms. Osborn clarified that the emails come to her and that many, if not most, of them are actually Columbus residents.

#### **Old Business:**

Mrs. Rush-Ekelberry stated that the Leaders of Troop 103 asked that their thanks be conveyed to Council for the Food Drive on the 15<sup>th</sup>.

# **Adjourn to Executive Session:**

Ms. Mershon moved to go to Executive session. Mr. Jarvis seconded that motion.

VOTE:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried.

Adjourned to Executive session at 8:14pm

Executive session ended at 9:04pm

# Adjournment:

Mr. Paini moved for adjournment of the meeting and Dr. Bender seconded the motion.

**VOTES:** 

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,

Ms. Rush-Ekelberry, Ms. Turner

NAYS

Time out: 9:05pm

Clerk of Council

President of Council

Date

Mayor

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.